

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

CODY ROBERTS,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 5:23-cv-451 (MTT)
)	
JAY ROBERTS, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

ORDER

Pro se Plaintiff Cody Roberts filed this 42 U.S.C. § 1983 action against Defendants Jay Roberts and Bibb County Law Enforcement Center. Doc. 1. Roberts also contemporaneously moved to proceed *in forma pauperis* in this case. Doc. 3. Because the Court did not have sufficient information to determine whether Roberts was entitled to proceed *in forma pauperis*, Roberts was ordered to refile his motion along with an amended complaint addressing the deficiencies raised by the Court. Doc. 4. He failed to do so. Roberts was subsequently ordered to show cause within fourteen days, why this case should not be dismissed and was also advised that failure to fully and timely comply with this Court's Order may result in the dismissal of this action. Doc. 5. Fourteen days have passed, and Roberts did not respond. Accordingly, this case is hereby **DISMISSED** without prejudice. See *Brown v. Tallahassee Police Dep't*, 205 F. App'x 802, 802 (11th Cir. 2006) (citing *Lopez v. Aransas Ctny. Indep. Sch. Dist.*, 570

F.2d 541, 544 (5th Cir. 1978) (“The court may dismiss an action sua sponte ... for failure to prosecute or failure to obey a court order.”).¹

SO ORDERED, this 20th day of December, 2023.

S/ Marc T. Treadwell
MARC T. TREADWELL, CHIEF JUDGE
UNITED STATES DISTRICT COURT

¹ The Eleventh Circuit has adopted as binding precedent the decisions of the former Fifth Circuit rendered prior to October 1, 1981. *Bonner v. City of Prichard*, 661 F.2d 1206, 1209 (11th Cir. 1981).